

## Environmental Protection Agency

## § 1037.10

- 1037.645 In-use compliance with family emission limits (FELs).
- 1037.650 Tire manufacturers.
- 1037.655 Post-useful life vehicle modifications.
- 1037.660 Automatic engine shutdown systems.

### Subpart H—Averaging, Banking, and Trading for Certification

- 1037.701 General provisions.
- 1037.705 Generating and calculating emission credits.
- 1037.710 Averaging.
- 1037.715 Banking.
- 1037.720 Trading.
- 1037.725 What must I include in my application for certification?
- 1037.730 ABT reports.
- 1037.735 Recordkeeping.
- 1037.740 Restrictions for using emission credits.
- 1037.745 End-of-year CO<sub>2</sub> credit deficits.
- 1037.750 What can happen if I do not comply with the provisions of this subpart?
- 1037.755 Information provided to the Department of Transportation.

### Subpart I—Definitions and Other Reference Information

- 1037.801 Definitions.
- 1037.805 Symbols, acronyms, and abbreviations.
- 1037.810 Incorporation by reference.
- 1037.815 Confidential information.
- 1037.820 Requesting a hearing.
- 1037.825 Reporting and recordkeeping requirements.

#### APPENDIX I TO PART 1037—HEAVY-DUTY TRAN- SIENT CHASSIS TEST CYCLE

#### APPENDIX II TO PART 1037—POWER TAKE-OFF TEST CYCLE

#### APPENDIX III TO PART 1037—EMISSION CON- TROL IDENTIFIERS

AUTHORITY: 42 U.S.C. 7401–7671q.

SOURCE: 76 FR 57398, Sept. 15, 2011, unless otherwise noted.

## Subpart A—Overview and Applicability

### § 1037.1 Applicability

This part contains standards and other regulations applicable to the emission of the air pollutant defined as the aggregate group of six greenhouse gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The regulations in this part 1037 apply for all new heavy-duty vehicles, except as provided in § 1037.5.

This includes electric vehicles and vehicles fueled by conventional and alternative fuels.

### § 1037.5 Excluded vehicles.

Except for the definitions specified in § 1037.801, this part does not apply to the following vehicles:

(a) Vehicles not meeting the definition of “motor vehicle”.

(b) Vehicles excluded from the definition of “heavy-duty vehicle” in § 1037.801 because of vehicle weight, weight rating, and frontal area (such as light-duty vehicles and light-duty trucks).

(c) Medium-duty passenger vehicles.

(d) Vehicles produced in model years before 2014, unless they are certified under § 1037.150.

(e) Vehicles subject to the light-duty greenhouse gas standards of 40 CFR part 86. See 40 CFR 86.1818 for greenhouse gas standards that apply for these vehicles. An example of such a vehicle would be a vehicle meeting the definition of “heavy-duty vehicle” in § 1037.801 and 40 CFR 86.1803, but also meeting the definition of “light truck” in 40 CFR 86.1818–12(b)(2).

### § 1037.10 How is this part organized?

This part 1037 is divided into subparts as described in this section. Note that only subparts A, B, and I of this part apply for vehicles subject to the standards of § 1037.104, as described in that section.

(a) Subpart A of this part defines the applicability of part 1037 and gives an overview of regulatory requirements.

(b) Subpart B of this part describes the emission standards and other requirements that must be met to certify vehicles under this part. Note that § 1037.150 discusses certain interim requirements and compliance provisions that apply only for a limited time.

(c) Subpart C of this part describes how to apply for a certificate of conformity for vehicles subject to the standards of § 1037.105 or § 1037.106.

(d) [Reserved]

(e) Subpart E of this part addresses testing of in-use vehicles.

(f) Subpart F of this part describes how to test your vehicles and perform emission modeling (including references to other parts of the Code of

## § 1037.15

Federal Regulations) for vehicles subject to the standards of §1037.105 or §1037.106.

(g) Subpart G of this part and 40 CFR part 1068 describe requirements, prohibitions, and other provisions that apply to manufacturers, owners, operators, rebuilders, and all others. Section 1037.601 describes how 40 CFR part 1068 applies for heavy-duty vehicles.

(h) Subpart H of this part describes how you may generate and use emission credits to certify vehicles that are subject to the standards of §1037.105 or §1037.106.

(i) Subpart I of this part contains definitions and other reference information.

### § 1037.15 Do any other regulation parts apply to me?

(a) Parts 1065 and 1066 of this chapter describe procedures and equipment specifications for testing engines and vehicles to measure exhaust emissions. Subpart F of this part 1037 describes how to apply the provisions of part 1065 and part 1066 of this chapter to determine whether vehicles meet the exhaust emission standards in this part.

(b) As described in §1037.601, certain requirements and prohibitions of part 1068 of this chapter apply to everyone, including anyone who manufactures, imports, installs, owns, operates, or rebuilds any of the vehicles subject to this part 1037. Part 1068 of this chapter describes general provisions that apply broadly, but do not necessarily apply for all vehicles or all persons. The issues addressed by these provisions include these seven areas:

- (1) Prohibited acts and penalties for manufacturers and others.
- (2) Rebuilding and other aftermarket changes.
- (3) Exclusions and exemptions for certain vehicles.
- (4) Importing vehicles.
- (5) Selective enforcement audits of your production.
- (6) Recall.
- (7) Procedures for hearings.

(c) Part 86 of this chapter applies for certain vehicles as specified in this part. For example, the test procedures and most of part 86, subpart S, applies for vehicles subject to §1037.104.

## 40 CFR Ch. I (7–1–12 Edition)

(d) Other parts of this chapter apply if referenced in this part.

### § 1037.30 Submission of information.

Send all reports and requests for approval to the Designated Compliance Officer (see §1037.801). See §1037.825 for additional reporting and recordkeeping provisions.

## Subpart B—Emission Standards and Related Requirements

### § 1037.101 Overview of emission standards for heavy-duty vehicles.

(a) This part specifies emission standards for certain vehicles and for certain pollutants. It also summarizes other standards that apply under 40 CFR part 86. This part contains standards and other regulations applicable to the emission of the air pollutant defined as the aggregate group of six greenhouse gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

(b) The regulated emissions are addressed in four groups:

(1) Exhaust emissions of NO<sub>x</sub>, HC, PM, and CO. These pollutants are sometimes described collectively as “criteria pollutants” because they are either criteria pollutants under the Clean Air Act or precursors to the criteria pollutant ozone. These pollutants are also sometimes described collectively as “non-greenhouse gas pollutants”, although they do not necessarily have negligible global warming potential. As described in §1037.102, standards for these pollutants are provided in 40 CFR part 86.

(2) Exhaust emissions of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O. These pollutants are described collectively in this part as “greenhouse gas pollutants” because they are regulated primarily based on their impact on the climate. These standards are provided in §§1037.104 through 1037.106.

(3) Hydrofluorocarbons. These pollutants are also “greenhouse gas pollutants” but are treated separately from exhaust greenhouse gas pollutants listed in paragraph (b)(2) of this section. These standards are provided in §1037.115.